

House Study Bill 269

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON BODDICKER)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for changes relating to programs under the
2 purview of the Iowa department of public health.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 3087HC 80
5 rn/sh/8

PAG LIN

1 1 Section 1. Section 139A.8, subsection 1, Code 2003, is
2 amended to read as follows:

1 3 1. A parent or legal guardian shall assure that the
1 4 person's minor children residing in the state are adequately
1 5 immunized against diphtheria, pertussis, tetanus,
1 6 poliomyelitis, rubeola, ~~and~~ rubella, and varicella according
1 7 to recommendations provided by the department subject to the
1 8 provisions of subsections 3 and 4.

1 9 Sec. 2. Section 139A.8, subsection 2, paragraph a, Code
1 10 2003, is amended to read as follows:

1 11 a. A person shall not be enrolled in any licensed child
1 12 care center or elementary or secondary school in Iowa without
1 13 evidence of adequate immunizations against diphtheria,
1 14 pertussis, tetanus, poliomyelitis, rubeola, ~~and~~ rubella, and
1 15 varicella.

1 16 Sec. 3. Section 139A.8, subsection 4, paragraph a, Code
1 17 2003, is amended to read as follows:

1 18 a. The applicant, or if the applicant is a minor, the
1 19 applicant's parent or legal guardian, submits to the admitting
1 20 official a statement signed by a physician, advanced
1 21 registered nurse practitioner, or physician assistant who is
1 22 licensed by the ~~state~~ board of medical examiners, board of
1 23 nursing, or board of physician assistant examiners that, in
1 24 ~~the physician's opinion,~~ the immunizations required would be
1 25 injurious to the health and well-being of the applicant or any
1 26 member of the applicant's family.

1 27 Sec. 4. Section 152.1, subsection 5, paragraph b, Code
1 28 2003, is amended by striking the paragraph and inserting in
1 29 lieu thereof the following:

1 30 b. The performance of nursing services by an unlicensed
1 31 student enrolled in a nursing education program if performance
1 32 is part of the course of study. Individuals who have been
1 33 licensed as registered nurses or licensed practical or
1 34 vocational nurses in any state or jurisdiction of the United
1 35 States are not subject to this exemption.

2 1 Sec. 5. Section 152.1, subsection 5, paragraph c, Code
2 2 2003, is amended to read as follows:

2 3 c. The performance of services by employed unlicensed
2 4 workers employed in offices, hospitals, or health care
2 5 facilities, as defined in section 135C.1, under the
2 6 supervision of a physician or a nurse licensed under this
2 7 chapter, or employed in the office of a psychologist,
2 8 podiatric physician, optometrist, chiropractor, speech
2 9 pathologist, audiologist, or physical therapist licensed to
2 10 practice in this state, and when acting while within the scope
2 11 of the employer's license.

2 12 Sec. 6. Section 272C.3, subsection 1, paragraph k, Code
2 13 2003, is amended to read as follows:

2 14 k. Establish a licensee review committee for the purpose
2 15 of evaluating and monitoring licensees who ~~self-report~~
2 16 ~~physical or mental impairments to the board are impaired as a~~
2 17 ~~result of alcohol or drug abuse, dependency, or addiction, or~~
2 18 ~~by any mental or physical disorder or disability, and who~~
2 19 ~~self-report the impairment to the committee, or who are~~
2 20 ~~referred by the board to the committee.~~ The board shall adopt
2 21 rules for the establishment and administration of the
2 22 committee, including but not limited to establishment of the

2 23 criteria for eligibility for referral to the committee and the
2 24 grounds for disciplinary action for noncompliance with
2 25 committee decisions. Information in the possession of the
2 26 board or the licensee review committee, under this paragraph,
2 27 shall be subject to the confidentiality requirements of
2 28 section 272C.6. Referral of a licensee by the board to a
2 29 licensee review committee shall not relieve the board of any
2 30 duties of the board and shall not divest the board of any
2 31 authority or jurisdiction otherwise provided. A licensee who
2 32 violates section 272C.10 or the rules of the board while under
2 33 review by the licensee review committee shall be referred to
2 34 the board for appropriate action.

2 35 EXPLANATION

3 1 This bill provides for several changes relating to programs
3 2 under the purview of the Iowa department of public health.

3 3 The bill provides for the addition of varicella
3 4 (chickenpox) to the list of required childhood immunizations,
3 5 and adds advanced registered nurse practitioners and physician
3 6 assistants as health professionals authorized to sign
3 7 immunization medical waivers.

3 8 The bill modifies exemption provisions relating to
3 9 activities constituting the practice of nursing, to make clear
3 10 that the performance of nursing services by students who are
3 11 licensed as registered nurses or practical or vocational
3 12 nurses in any United States jurisdiction will not fall within
3 13 the exemption and will be subject to the jurisdiction of the
3 14 board.

3 15 The bill provides that licensee review committees
3 16 established for the purpose of evaluating and monitoring
3 17 licensees who self-report, or are referred by the board for,
3 18 an impairment relating to alcohol or drug abuse, dependency,
3 19 or addiction, or any mental or physical disorder or
3 20 disability.

3 21 LSB 3087HC 80

3 22 rn/sh/8